

A-5394

- (a) Maintain a previously installed arbor measuring eight-feet, nine-inches (8'-9") in height located between the front lot line and the front (Magnolia Parkway) building restriction line.
- (b) Maintain a previously installed fence measuring a maximum height of four-feet, eight-inches (4'-8") in height located between the front lot line and the front (Magnolia Parkway) building restriction line.
- (c) Maintain a previously installed fence measuring a maximum height of four-feet, eight-inches (4'-8") in height located in the Magnolia Parkway public right-of-way.

Mr. and Mrs. Daniel P. Coughlan
20 West Lenox Street

20 West Lenox Street

West Lenox View



Southeast property line view



Magnolia Parkway view



**CHEVY CHASE VILLAGE
NOTICE OF PUBLIC HEARING
CORRECTED AS OF 9/4/2008**

Please take notice that the Chevy Chase Village Board of Managers will hold a public hearing on the 8th day of September, 2008 at 7:30 p.m. The hearing will be held at the Chevy Chase Village Hall at 5906 Connecticut Avenue in Chevy Chase, Maryland.

**APPEAL NUMBER A-5394 (a)
MR. AND MRS. DANIEL P. COUGHLAN
20 WEST LENOX STREET
CHEVY CHASE, MARYLAND 20815**

The applicants seek a variance from the Board of Managers pursuant to Section 8-12 of the Chevy Chase Village Building Code to maintain a previously installed arbor measuring eight-feet, nine-inches (8'-9") in height located between the front lot line and the front (Magnolia Parkway) building restriction line, pursuant to the attached plans. The arbor was installed without a variance from the Board of Managers.

The Chevy Chase Village Code § 8-22 (d) states:

No person shall construct any fence or wall at any location between the front lot line and the front building restriction line, which exceeds forty-eight (48) inches in height.

Additional information regarding this case may be obtained at the Chevy Chase Village Office between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, may be viewed on the Village website at www.ccvillage.org or you may contact the office for this information to be mailed to you.

This notice was mailed to abutting property owners on the 28th day of August, 2008.

**Chevy Chase Village Office
5906 Connecticut Avenue
Chevy Chase, Maryland 20815
301-654-7300**

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20 WEST LENOX STREET
CHEVY CHASE, MARYLAND 20815**

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**APPEAL NUMBER A-5394 (c)
MR. AND MRS. DANIEL P. COUGHLAN
20 WEST LENOX STREET
CHEVY CHASE, MARYLAND 20815**

The applicants seek a special permit from the Board of Managers pursuant to Section 8-12 of the Chevy Chase Village Building Code to maintain a previously installed fence measuring a maximum height of four-feet, eight-inches (4'-8") in height located in the Magnolia Parkway public right-of-way, pursuant to the attached plans. The fence was installed without a special permit from the Board of Managers.

The Chevy Chase Village Code § 8-31 (c) states:

Except as provided in Section 8-31 (b), no structures, play equipment, fence, wall, tree, hedge or shrubbery, or any other growth shall be permitted on public property devoted to private use without a special permit from the Board of Managers.

Additional information regarding this case may be obtained at the Chevy Chase Village Office between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, may be viewed on the Village website at www.ccvillage.org or you may contact the office for this information to be mailed to you.

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MR. AND MRS. DANIEL P. COUGHLAN
20 WEST LENOX STREET
CHEVY CHASE, MARYLAND 20815**

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**APPEAL NUMBER A-5394 (b)
MR. AND MRS. DANIEL P. COUGHLAN
20 WEST LENOX STREET
CHEVY CHASE, MARYLAND 20815**

The applicants seek a variance and a special permit from the Board of Managers pursuant to Section 8-12 of the Chevy Chase Village Building Code to maintain a previously installed fence measuring a maximum height of four-feet, eight-inches (4'-8") in height located between the front lot line and the front (Magnolia Parkway) building restriction line and in the Magnolia Parkway public right-of-way, pursuant to the attached plans. The fence was installed without a variance and a special permit from the Board of Managers.

The Chevy Chase Village Code § 8-22 (d) states:

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(c) Except as provided in Section 8-31 (b), no structures, play equipment, fence, wall, tree, hedge or shrubbery, or any other growth shall be permitted on public property devoted to private use without a special permit from the Board of Managers.

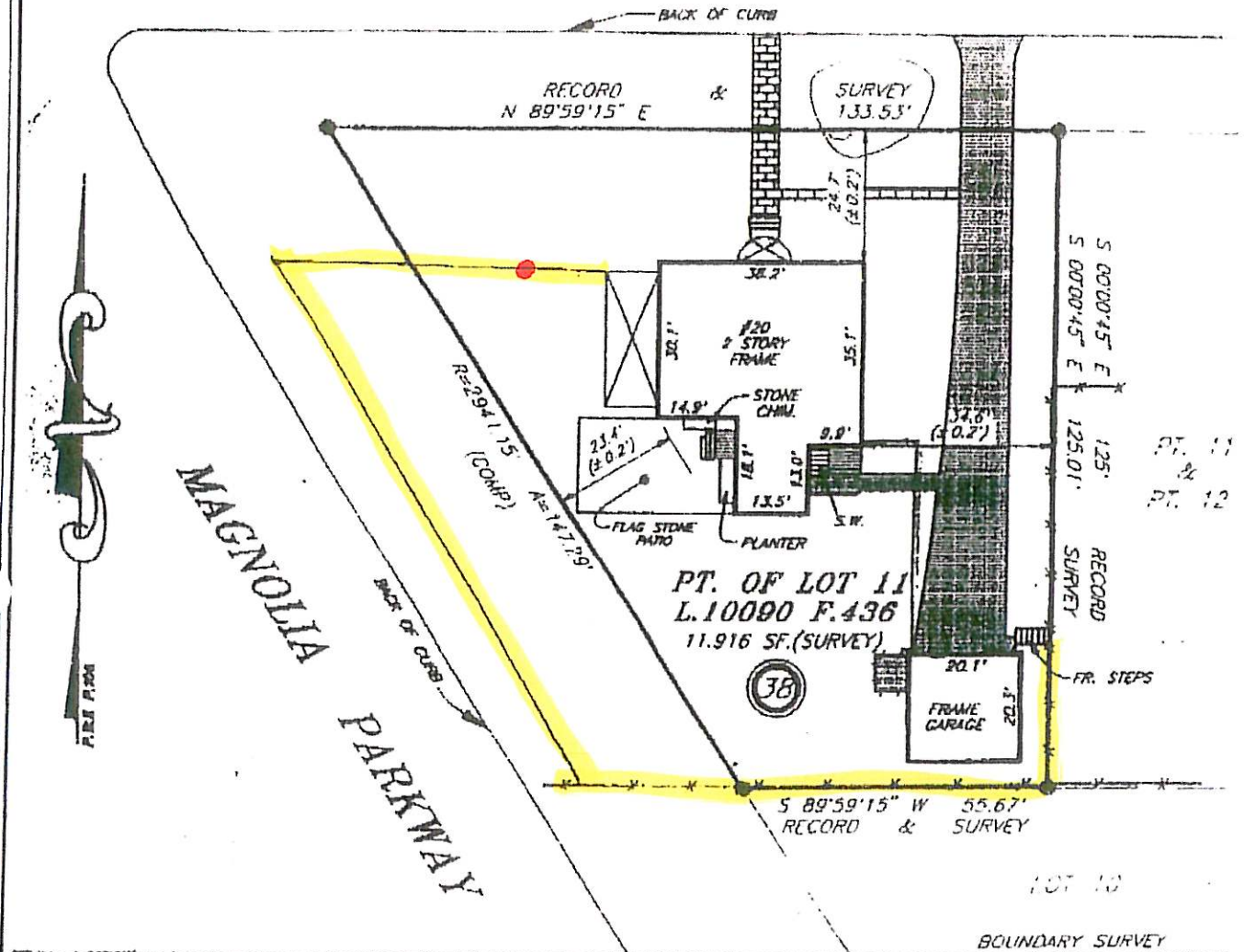
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**Chevy Chase Village Office
5906 Connecticut Avenue
Chevy Chase, Maryland 20815
301-654-7300**

20 W. LENOX STREET

60' WIDE R/W



<p>SURVEYOR'S CERTIFICATE</p> <p>I HEREBY CERTIFY THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF THE IMPROVEMENTS SHOWN HEREON ARE THE RESULT OF ACTUAL FIELD MEASUREMENTS.</p> <p>DANIEL T. GAYWOOD, REGISTERED PROPERTY LINE SURVEYOR MD No. 406 DATE</p>	<p>MADDOX INCORPORATED ENGINEERS • SURVEYORS</p> <p>100 PARK AVENUE ROCKVILLE, MARYLAND 20850-2899 (301) 762-9001</p>	<p>PART OF LOT 11 BLOCK 38 SECTION No. 2 CHEVY CHASE PLAT BOOK 2 PAGE 106</p> <p>ELECTION DISTRICT No. 7 MONTGOMERY COUNTY, MARYLAND</p>
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- NOTES:**
1. A TITLE REPORT WAS NOT FURNISHED.
 2. THE PROPERTY SHOWN HEREON IS LOCATED IN "CHEVY CHASE" ON COMMUNITY-PANEL No. 240049 0175 C OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP FOR MONTGOMERY COUNTY, MARYLAND. THIS AREA HAS NOT YET BEEN PUBLISHED. ZONE "C" IS DESIGNATED AS AN AREA OF MINIMAL FLOODING.
 3. THE PROPERTY SHOWN HEREON IS SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.
 4. LEGEND: O.H. - BUILDING OVERHANG; B.W. - BAY WINDOW; CHM. - CHIMNEY; BR. - BRICK; BLK. - CONCRETE BLOCK; FR. - FRAME; STR. - STAIRWELL; MTL. - METAL; ● - PROPERTY MARKER SET; ○ - WELL; ---+--- WOOD FENCE; ---+--- METAL FENCE.
 5. SURFACES: CONCRETE - [Pattern]; ASPHALT - [Pattern]; GRAVEL - [Pattern]; FRAME - [Pattern]; BRICK - [Pattern]; COVERED/ENCLOSED - [Pattern].

FILE NAME: B3014H, CAD 4 BACK UP 47 DWG. BY V.G.S. CHK. BY R.E.R. FIELD DATE 02/23/95 SCALE: 1" = 30' JOR No. 95014

EXISTING FENCE LINE & REPLACEMENT FENCE LINE
• APPROXIMATE LOCATION OF ARBOR

MAILING LIST FOR APPEAL A-5394(A)&(B)

**MR. AND MRS. DANIEL P. COUGHLAN
20 WEST LENOX STREET
CHEVY CHASE, MARYLAND 20815**

Adjoining and confronting property owners	
Mr. and Mrs. Peter Wellington Or Current Resident 18 West Lenox Street Chevy Chase, MD 20815	Mr. and Mrs. Alexander P. Humphrey Or Current Resident 25 West Kirke Street Chevy Chase, MD 20815
Mr. and Mrs. John J. Ryan Or Current Resident 33 West Lenox Street Chevy Chase, MD 20815	Mr. and Mrs. Thomas S. Dann Or Current Resident 27 West Kirke Street Chevy Chase, MD 20815
Mr. Brian W. Smith Ms. Donna J. Holverson Or Current Resident 35 West Lenox Street Chevy Chase, MD 20815	Mr. and Mrs. Douglas A. Rediker Or Current Resident 20 Magnolia Parkway Chevy Chase, MD 20815
Mr. and Mrs. Jerome H.L. Powell Or Current Resident 37 West Lenox Street Chevy Chase, MD 20815	

I hereby certify that a public notice was mailed to the aforementioned property owners on the 28th day of August, 2008.



**Doris M. Lyerly
Chevy Chase Village
5906 Connecticut Avenue
Chevy Chase, MD 20815**

GEOFFREY B. BIDDLE
Village Manager
DAVID R. PODOLSKY
Legal Counsel

CHEVY CHASE VILLAGE
5906 CONNECTICUT AVENUE
CHEVY CHASE, MD 20815
Telephone (301) 654-7300
Fax (301) 907-9721
ccv@montgomerycountymd.gov

BOARD OF MANAGERS
DOUGLAS B. KAMEROW

Chair
DAVID L. WINSTEAD
Vice Chair
SUSIE EIG
Secretary
GAIL S. FELDMAN
Treasurer
BETSY STEPHENS
Assistant Treasurer
PETER M. YEO
Board Member
ROBERT L. JONES
Board Member

August 28, 2008

Mr. and Mrs. Daniel P. Coughlan
20 West Lenox Street
Chevy Chase, MD 20815


Dear Mr. and Mrs. Coughlan:

Please note that your requests for a variance and special permit to maintain a previously installed arbor and fence located between the front lot line and the front (Magnolia Parkway) building restriction line and in the Magnolia Parkway public right-of-way are scheduled before the Board of Managers on Monday, September 8, 2008 at 7:30 p.m.

Either you or another representative must be in attendance to present your case. At that time, additional documents may be introduced and testimony can be provided in support of the request.

For your convenience, enclosed please find copies of the Public Hearing Notices and mailing list. Please contact the Village office in advance if you are unable to attend.

Sincerely,



Doris M. Lyerly
Permitting and Code Enforcement Specialist
Chevy Chase Village

Enclosures

Chevy Chase Village Building Permit Application

Permit Number: A-5394

Date of Application: _____

Applicant Name: <u>Daniel and Kristen Coughlan</u>	
Address: <u>20 W. Lenox St.</u>	Phone: <u>301-312-6967</u>
Contractor: <u>Accokeek Fence Co., Inc.</u>	Phone: <u>703-971-0662</u>
Contact Person: <u>Dan Coughlan</u>	MHI/MD Contractor's Lic. No. <u>#8807</u>

Filing Requirements

- ☒ A recent house location survey showing all existing and proposed structures.
- ☒ Construction plans and specifications. If trees that are twenty-four inches (24") in circumference or larger measured four feet six inches (4'6") above ground level are at risk of being disturbed during the construction, they must be shown on the submittal plans.
- ☒ Copy of stamped, approved Montgomery County drawings (if required). These drawings will remain on file at Chevy Chase Village.
- ☒ Copy of plans that show location of dumpster, portable sanitation facility, delivery zone and parking area.
- ☒ Copy of Covenants (if required).
- ☒ The filing fees for a Chevy Chase Village Building Permit are listed in Chapter 6 of the Village Code.
- ☒ Completed Building Permit Application and payment of filing fees.

The Village Manager will review the application and accompanying documents and, under most circumstances, will act on the building permit within 5 to 10 working days.

In the event the Montgomery County building permit is suspended, revoked or lapsed, the Village permit is automatically suspended, revoked or lapsed.

No signs advertising the contractor, architect or other service provides associated with the permitted project shall be posted on the site.

I hereby certify that I have the authority to make the foregoing application, that the application is correct, that I have read and understood all requirements and that the construction will conform to the regulations of the Building Code, the Montgomery County Zoning Code, the Village Tree Ordinance, and all applicable covenants on the above property.

Applicant's Signature: _____

Date: April 19, 2008

For use by HPC only:

Historic Area Work Permit required?

Yes ☐

No ☐ _____ (HPC initials)

Exact Description of Construction Plans:

Replace existing fencing, which consists of wood picket and metal/wire fences. A 6 ft. Flat board fence to replace existing fencing on rear of property, extending from Point A to

- ☐ Check here if the construction will require the demolition of over fifty (50) percent of any existing structure.
☐ Check here if a dumpster will be used (only permitted on private property). If so, applicant must file for a Village Dumpster Permit.

Parking Compliance

Is adequate on-site parking available for the construction crews?

☒ Yes ☐ No

If the answer is no, please provide a plan for parking which minimizes inconvenience to neighboring residents indicating if the property is in a permit parking area.

Will road closings be required due to deliveries, equipment or other reasons?

☐ Yes ☒ No

Responsible Party:

Will the residence be occupied during the construction project?

☒ Yes ☐ No

If no, please provide the name, address, business and after-hours phone number for the project manager or the party responsible for the construction site.

For Use By Village Manager**Approved with the following conditions:****For Use By Village Manager****Denied for the following reasons:**

APR 30 2008

Chevy Chase
Village Manager

GREATER THAN 4' tall fences or front yard
BRLs.

Anthony Biele

Filing Fees

Permit Fee:

Damage Deposit:

Appeal Fee: \$300 pd 4/22/08

Tree Preservation Plan:

Total Fees & Deposits:

Checks Payable To:

Chevy Chase Village
5906 Connecticut Avenue
Chevy Chase, MD 20815

Date:

Staff Signature:

Const. Plans

Point B (as shown on Plat labeled Exhibit A). At Pt. B, install 1 transition section from 6ft to 5ft, approximately 6ft. long. This will transition to a custom cedar 2x2 picket fence at alternating height w/ the average height being 4 feet (this is essentially the same fence as 20 W. Kirke St., which is on the corner of Magnolia and W. Kirke). This will account for the remainder of the fence, up to point D. Install gate w/ arbor in middle of point C and D, which will serve to connect the front and rear of the property.

Finally, replace existing wire fencing beside garage with four ft. 2x2 cedar picket.

All fencing will be painted white

Pictures are included of all proposed structures.



Daniel & Kristen Coughlan
20 W. Lenox St.
Chevy Chase, MD 20815

Board of Managers
Village of Chevy Chase
5906 Connecticut Ave
Chevy Chase, MD 20815

RE: Fence and Arbor 20 W. Lenox St.

Dear Managers:

We are respectfully requesting a variance for the replacement of an existing fence and the addition of an Arbor at our house at 20 W. Lenox St. in Chevy Chase Village.


The fence was an old four foot picket fence. Our property is a corner lot and for security and privacy issues we were in the process of requesting a variance for a six foot privacy fence along our back property line, tapering down to a five to four foot fence along Magnolia Pkwy. (in request to have been similar to the fence at 20 W. Kirke st on the corner of Magnolia & W. Kirke). Then in early June we experienced a disastrous event that is still affecting our family. A severe storm knocked three 80 foot plus trees into our yard, in the process severely damaging our garage, the rear of our house, and toppled a utility pole into our yard, causing the transformer to explode in our yard and crushing our fence. The chemicals in the transformer drenched the majority of our yard and fence contaminating everything in it resulting in Pepco (in hazmat suits) removing six inches deep of our yard and all of our plantings, children toys and play set. The loss of power and chemical spill keep us out of our house and back yard for several weeks. Needless to say this event was very traumatic for our family. We just wanted our yard back and gave up on the wish for a height variance for the fence. We contracted to just replace the existing fence with a four foot picket (exhibit 1). The one difference in the new fence is an Arbor. Even though the contract called for a four foot fence the contractor installed the fence at an average height of slightly higher than four feet (approximately 4.6 feet). It is our request that we are able to keep the new fence and Arbor.

The replacement of the existing picket fence with the new picket fence is not what we were looking to do but it is consistent with the character of the neighborhood. There are six fences along Magnolia Pkwy (the majority of our fence line is on Magnolia), of which five of the six fences are higher in whole or in part than four feet. The fence also adds necessary security for our family. We have three young children and a dog. Magnolia is a very busy street. A countless number of cars and pedestrians pass by the fence line on a daily basis. Cars, work trucks and vans frequently park on Magnolia Pkwy just feet (approximately 3ft.) from the fence line. Every inch of fence height helps protect our

family. The ongoing neighborhood work (construction and maintenance) results in a number of contractor vehicles ranging from pick up trucks to concrete mixing trucks being parked on our Magnolia Pkwy side of our fence line. We are simply asking that we be allowed to provide safety for our family, while at the same time improving the aesthetics of our property. The Arbor we added is well in excess of five yards from the side yard property line and more than 25 feet from the front yard property line. The Arbor is in character with the house and the neighborhood.

So we are respectfully requesting we are able to keep our replacement fence and Arbor so that our family can put this event behind us.

Respectfully,



Daniel Coughlan

Exhibit 1

Exhibit 1 Proposal

Bobcat



ACCOKEEK FENCE COMPANY, INC.

VA Class B Contractors License
2705 012077
classification FIC, HIC, CIC

MD HIC # 8807

5410 Vine Street
Alexandria, Virginia 22310
(703) 971-0660
Fax: (703) 971-0662

Mailing Address:
P.O. Box 218
Accokeek, Maryland 20607
www.accokeekfence.com



BUY FROM THE PROFESSIONALS

Daniel & Kristy Coughlan
20 W. Lenox St.
Chevy Chase, MD. 20815

6-24, 20 08
Home Phone (301) 312-6967
Cell (202) 640-9554
Work Phone (202) 498-9686
Cell (202) 498-9686
Fax (240) 744-4805

KrisCoughlan@tritecrealestate.com

Accokeek Fence Company ☐ Will ☐ Will Not Clear and haul old fence post. ☐ N/A

☐ CUSTOMER IS RESPONSIBLE FOR PROPERTY LINES
☐ ACCOKEEK FENCE IS NOT RESPONSIBLE FOR ANY PRIVATE UNDERGROUND LINES.

☒ Wood Caps
☐ Copper Post Caps
☐ No Post Caps

☐ Black Post Caps
☐ Silver Post Caps
☐ Colonial Gothic Point
☐ 3" ☐ 1 3/4" Galv. Nails
☒ 3" ☒ 1 3/4" Stainless Steel Nails

Cross Street Cedar Parkway
Map Page 41 Grid C-1

clear and haul approx 162' of Fence and 68' of post and wire

Install approx 278' of 4' high 1x4 cedar 2 1/2" spaced Gothic point picket * All post are 6x6 pft pine

Install (2) 42-48" wide walk gate (1) on arbor (1) on 6x6 post 10" hinges & thumb latches

Install (1) Northeastern arbor 4x5 circular w sq lattice all post set in dry packed concrete

Fence from Garage to house N/I in price but is \$20.00/foot plus \$200. for Gate

ESTIMATOR:

Accokeek Fence Company ☒ Will ☐ Will Not Call Miss Utility
Accokeek Fence Company ☐ Will ☐ Will Not obtain permit
☒ Customer to get permit ☐ Permit not needed

SPECIFICATIONS:

All work will be performed in a workmanlike manner and in accordance with standard practice. All gate adjustments and post alignments - no charge, 90 days - except for damage due to high winds. Fence guaranteed against defects in workmanship or materials for one year. **PRESSURE TREATED WOOD - NO WARRANTY AGAINST WARPING, CHECKING, OR SHRINKING.**

Signature

Total Price

Deposit

BALANCE

(Due at completion)

Est. Start Date

Est. Completion

\$17,546.00

\$2,546.00

\$5,000.00

+ 50' x gate

3-6 weeks

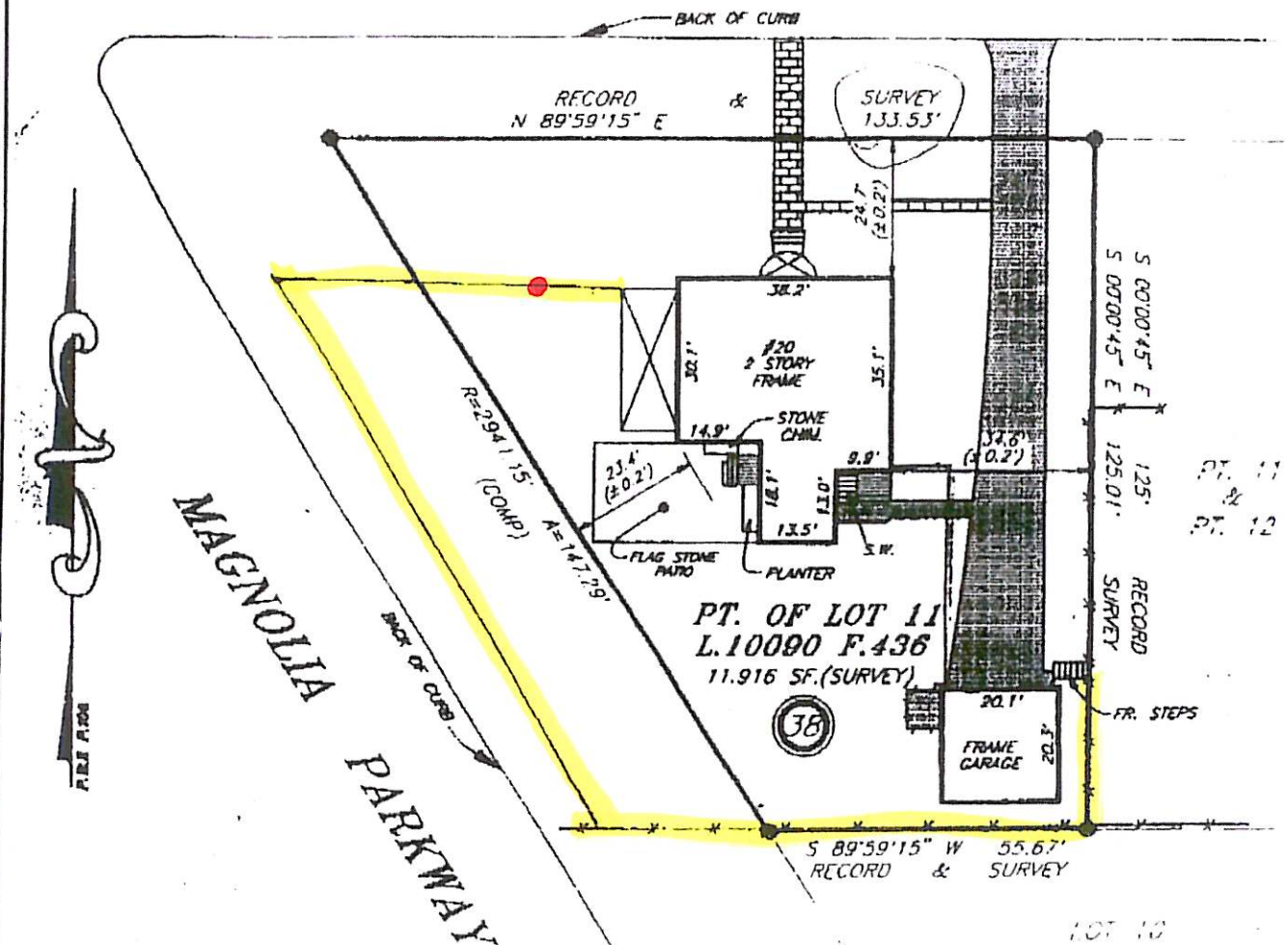
1 day

Date

8896

20 W. LENOX STREET

60' WIDE R/W



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF THE IMPROVEMENTS SHOWN HEREON ARE THE RESULT OF ACTUAL FIELD MEASUREMENTS.

DANIEL T. GAYDOO, REGISTERED
PROPERTY LINE SURVEYOR MD No. 406 DATE

MADDOX
INCORPORATED
ENGINEERS • SURVEYORS

100 PARK AVENUE
ROCKVILLE, MARYLAND 20850-2699
(301) 762-9001

PART OF LOT 11
BLOCK 38
SECTION No. 2
CHEVY CHASE
PLAT BOOK 2 PAGE 106

ELECTION DISTRICT No. 7
MONTGOMERY COUNTY, MARYLAND

NOTES:

1. A TITLE REPORT WAS NOT FURNISHED.
2. THE PROPERTY SHOWN HEREON IS LOCATED IN "CHEVY CHASE" ON COMMUNITY-PANEL No. 240049 0175 C OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP FOR MONTGOMERY COUNTY, MARYLAND. THIS AREA HAS NOT YET BEEN PUBLISHED. ZONE "C" IS DESIGNATED AS AN AREA OF MINIMAL FLOODING.
3. THE PROPERTY SHOWN HEREON IS SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.
4. LEGEND: O.M. - BUILDING OVERHANG; B.W. - BAY WINDOW; CHM. - CHIMNEY; BR. - BRICK; BLK. - CONCRETE BLOCK; FR. - FRAME; STW. - STAIRWELL; MTL. - METAL; ● - PROPERTY MARKER SET; - - - - - WOOD FENCE; - - - - - METAL FENCE.

5. SURFACES: CONCRETE - [Pattern] : ASPHALT - [Pattern] : GRAVEL - [Pattern] : FRAME - [Pattern] : BRICK - [Pattern] : COVERED/ENCLOSED - [Pattern]

FILE NAME: 08016H, CAD 4 BACK UP 47 DWG. BY V.G.S. CHK. BY R.E.R. FIELD DATE 02/23/85 SCALE: 1" = 30' JOB No. 85014

Existing Fence Line & Replacement fence Line
• Approximate Location of Arbor

Existing Fences on Magnolia St.



20 W. Lenox Old Fence vs New Fence



Existing Arbors in Village



New Arbor at 20 W. Lenox



STORM Damage



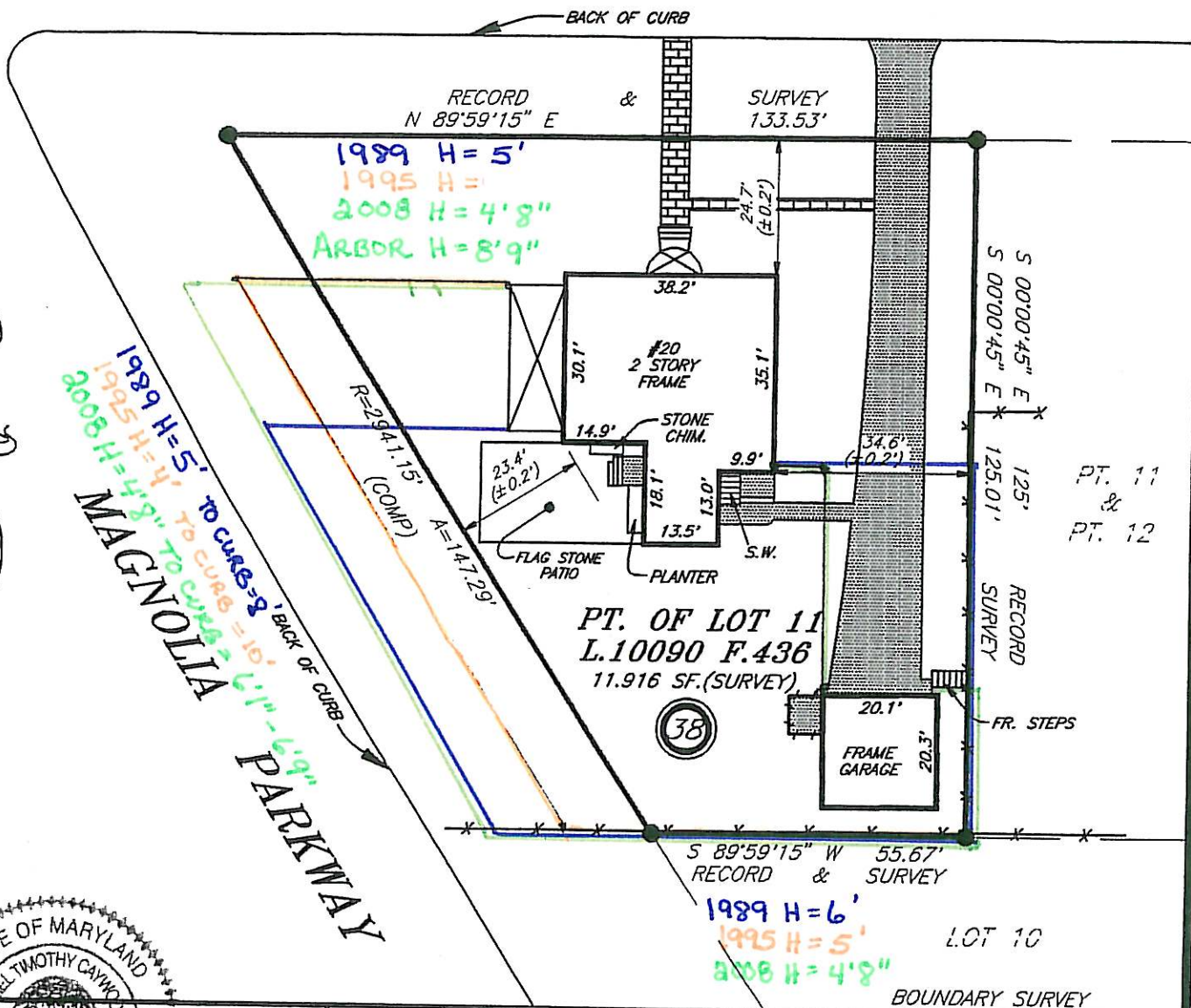
1989

1995

2008

W. LENOX STREET

60' WIDE R/W



STATE OF MARYLAND
WELTHOUGHTY CAYWOOD
SURVEYOR
I HEREBY CERTIFY THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF THE IMPROVEMENTS SHOWN HEREON ARE THE RESULT OF ACTUAL FIELD MEASUREMENTS.
PROPERTY LINE SURVEY
DANIEL T. CAYWOOD, REGISTERED 2-27-05
PROPERTY LINE SURVEYOR MB No.405 DATE

MADDOX
INCORPORATED
ENGINEERS • SURVEYORS

100 PARK AVENUE
ROCKVILLE, MARYLAND 20850-2899
(301) 782-9001

PART OF LOT 11
BLOCK 38
SECTION No.2
CHEVY CHASE
PLAT BOOK 2 PAGE 106
ELECTION DISTRICT No.7
MONTGOMERY COUNTY, MARYLAND

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5. SURFACES: CONCRETE - [Pattern]; ASPHALT - [Pattern]; GRAVEL - [Pattern]; FRAME - [Pattern]; BRICK - [Pattern]; COVERED/ENCLOSED - [Pattern].